

Determination of NEPA Adequacy (DNA) Worksheet

U.S. Department of the Interior
Bureau of Land Management

OFFICE::Branch of Pipeline Monitoring , LLAk943000

TRACKING NUMBER: DOI-BLM-AK-9430-0004-DNA

CASEFILE/PROJECT NUMBER:AA-093939, AA-093940

PROPOSED ACTION TITLE/TYPE:Mineral Material Sales Contract for Operational Material Site (OMS) 27-3N

LOCATION/LEGAL DESCRIPTION: T. 10 N., R. 1 W., sec. 20, SW1/4, Copper River Meridian, Alaska.

APPLICANT: Alyeska Pipeline Service Company (Alyeska)

A. Description of Proposed Action and any applicable mitigation measures

Alyeska Pipeline Service Company (Alyeska) has applied for a Mineral Material Sales Contract to obtain 5,000 cubic yards of Rip Rap (AA-093939) and 20,000 cubic yards of Crushed Stone (AA-093940) to be used for maintenance and repairs of facilities related to the Trans-Alaska Pipeline System. The material would be mined at an existing site designated as Operational Material Site (OMS) 27-3N or Hogans Hill. BLM must decide the issuance of two Mineral Material Sales Contracts to Alyeska in accordance with the Trans-Alaska Pipeline Authorization Act of 1973, Section 302 of the Federal Land Policy Management Act of 1976 (FLPMA), and 43CFR3600. Mitigation measures, in the form of contract stipulations, would be applied to any issued contracts and are attached to this document.

B. Land Use Plan Conformance

LUP Name: East
Alaska Resource
Management Plan and
Record of Decision

Date Approved: September 7, 2007

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

Section J-3: Salable Minerals (Mineral Materials).

Section J-3-a: Allocations – 5. All other areas are open, subject to Required Operation Procedures described in Appendix A.

Section J-3-b: Management Actions – 1. Maintain current mineral material sites until material is exhausted or other circumstances warrant closure. 2. Encourage extraction of mineral materials from previously disturbed sites rather than opening new sites.

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

Eastern Alaska Resource Management Plan and Record of Decision, U. S. Department of the Interior, Bureau of Land Management Glennallen Field Office, September 2007. The BLM completed a Final Environmental Impact Statement (FEIS) that identified and analyzed the probable direct, indirect, and cumulative environmental impacts associated with Mineral Material extraction within the Glennallen Field Office.

Final Environmental Impact Statement, Renewal of the Federal Grant for the Trans-Alaska Pipeline System Right-of-Way, U. S. Department of the Interior, Bureau of Land Management Joint Pipeline Office, BLM-AK-PT-03-005+2880+990, November 2002. The BLM completed a Final Environmental Impact Statement (FEIS) that identified and analyzed the probable direct, indirect, and cumulative environmental impacts associated with renewal of the TAPS Right-of-Way. The FEIS discusses the impacts on Pg. 4.2-19 and on Pg. 4.3-6 the impacts from mineral extraction are expected to be localized and the main impact would be resource extraction.

Final Environmental Impact Statement, Proposed Trans-Alaska Pipeline, Prepared by a Special Interagency Task Force for the Federal Task Force on Alaskan Oil Development, U.S. Department of the Interior, 1972. The U.S. Department of Interior completed a FEIS that identified and analyzed the probable direct, indirect, and cumulative environmental impacts associated with the construction, operation and maintenance of the Trans-Alaska Pipeline System. This was the first NEPA analysis document completed for the Trans-Alaska Pipeline System. The FEIS analyzed and assessed environmental impacts of mineral material sites used during construction.

List by name and date other documentation relevant to the proposed action (e.g. biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Endangered and Threatened Wildlife and Plants; Special Rule for the Polar Bear Under Section 4(d) of the Endangered Species Act, March 2013

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

The current proposed action is within the same analysis area and part of the actions previously analyzed in the *Final Environmental Impact Statement, Renewal of the Federal Grant for the Trans-Alaska Pipeline System Right-of-Way*, BLM-AK-PT-03-005-2880-990, November 2002, and the *Final Environmental Impact Statement, Proposed Trans-Alaska Pipeline* 1972.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource value?

The range of alternatives is appropriate with respect to the current proposed action in both of the previously prepared NEPA documents listed above.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessments, recent endangered species listings, updated lists

of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

The Record of Decision for the TAPS Renewal FEIS states:

"Pursuant to the Endangered Species Act, the Fish and Wildlife Coordination Act, the Marine Mammal Protection Act and Essential Fish Habitat provision of the Magnuson-Stevens Fishery Conservation and Management Act, the BLM initiated consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Under Section 7 of the Endangered Species Act, the BLM prepared the Biological Evaluation of the Effects of Right-of-Way Renewal for the Trans-Alaska Pipeline System on Threatened and Endangered Species and Designated Critical Habitat (Biological Evaluation), dated June 2002. The Biological Evaluation identified five species of concern within the action area: spectacled eider, Steller's eider, humpback whale, fin whale, and Steller sea lion. It found there was no designated critical habitat within the action area for the TAPS renewal. The Biological Evaluation concluded that the proposed action was not likely to adversely affect the five species or any critical habitat. The National Marine Fisheries Service and the Fish and Wildlife Service each concurred with BLM's determination that the proposed action would not adversely affect the species of concern. BLM prepared an Essential Fish Habitat analysis. The National Marine Fisheries Service concurred that the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act have been satisfied and further concurred with BLM's determination that any short-term adverse effects on Essential Fish Habitat can be adequately avoided, minimized and mitigated by the conservation measures associated with the proposed action. "

The polar bear, *ursus maritimus*, was listed as a threatened species by the U.S. Fish and Wildlife Service in March 2013. The polar bear lives only in the Northern Hemisphere, on the arctic ice cap, and spends most of its time on polar ice and in coastal areas. They are found on the northern and northwestern coasts of Alaska in the United States (March 2013, U.S. Fish & Wildlife Service). The mineral material site is located approximately 647 miles south of the Beaufort Sea; this is outside of the described polar ice habitat.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

The direct and indirect effects of the current proposed action do not deviate from the impacts identified in the existing NEPA documents. Site-specific impacts related to the current proposal were sufficiently analyzed in the previous EISs. The cumulative effects from the proposed action have not changed substantially from the impacts analyzed in the 1972 and 2002 TAPS Final Environmental Impact Statements. The TAPS FEIS for Right-of-Way Renewal contains an extensive discussion of the cumulative effects of TAPS operations for the 30-year renewal period.

5. Are there public involvement and interagency reviews associated with existing NEPA document(s) adequate for the current proposed action?

Public Involvement. The TAPS FEIS for Renewal underwent an exhaustive public involvement process. BLM enlisted all interested stakeholders in the renewal process, including government-to-government involvement with Alaska tribes, state and federal agencies that regulate TAPS activities, and special interest groups affected by TAPS activities. The entire renewal process, including all public hearings and meetings, received extensive coverage by newspaper, television, and radio media.

Interagency Review. During the TAPS Renewal EIS process, BLM coordinated closely with the State of Alaska, as well as all JPO State and Federal stakeholder agencies and other Federal land management agencies, including the U.S. Forest Service and the National Park Service. The TAPS FEIS for Renewal contains interagency reviews by the National Marine Fisheries Service and U.S. Fish and Wildlife, Alaska Region.

E. Persons/Agencies/BLM Staff Consulted

Table . List of Preparers

Edward P. Klimasauskas	Project Lead	Geologist
Brenda Becker		Realty Specialist
John Jangala		Archaeologist

Note

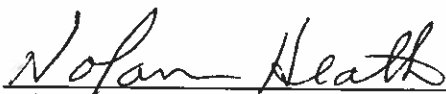
Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirement of NEPA.



Signature of Project Lead

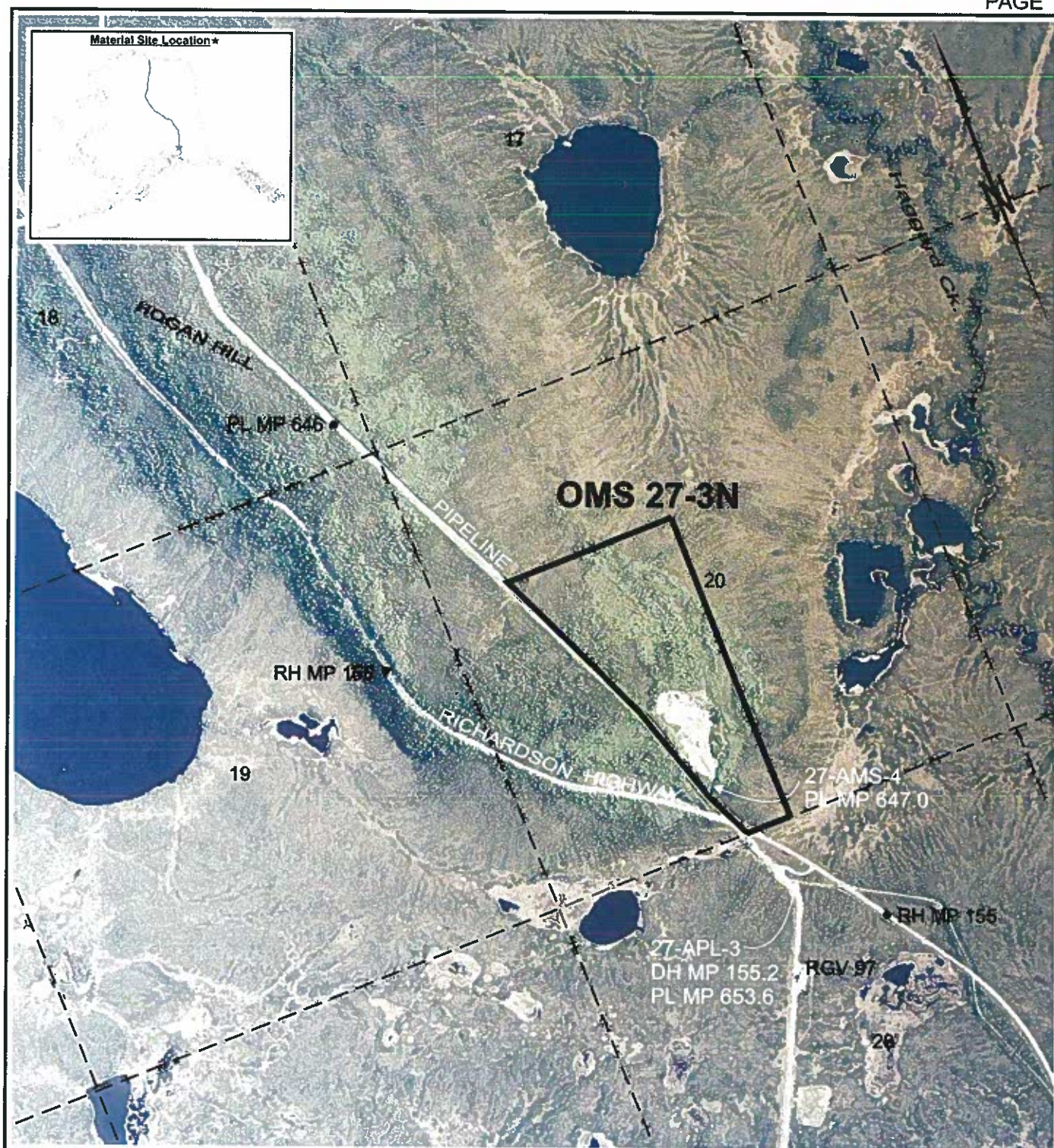


Signature of the Responsible Official

29 Jan 2015
Date

Note:

The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.



**LEGAL DESCRIPTION OF
MATERIAL SITE TRACT:**

T10N, R1W, C.R.M., SEC 20: SW ¼
THOSE PORTIONS EAST OF THE
PIPELINE

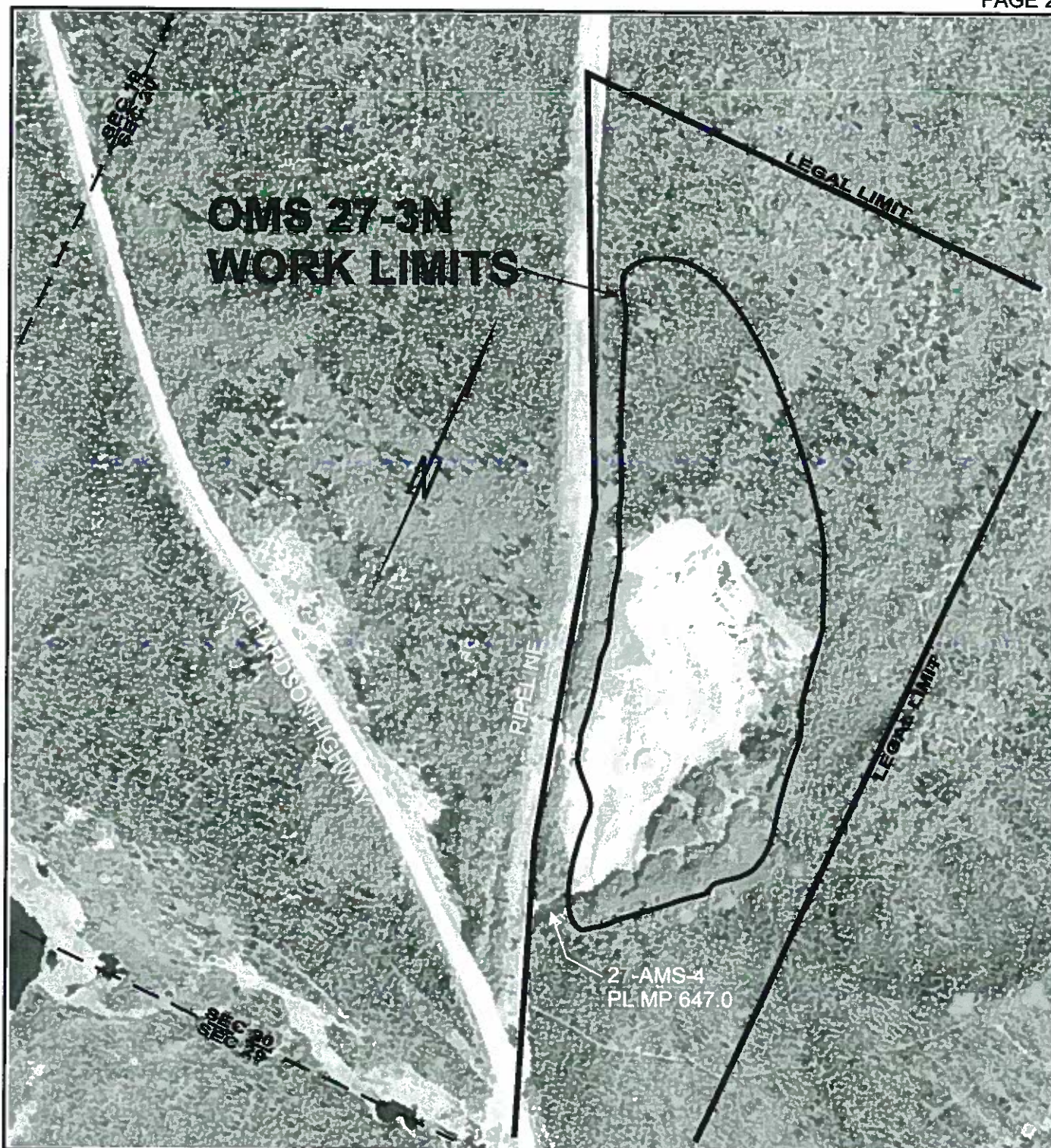
U.S.G.S. GULKANA (C-3), ALASKA
120 ACRES (PROTRACTED)

Alyeska pipeline
SERVICE COMPANY

REVISION DATE: FEBRUARY 2002

OMS 27-3N
LOCATION PHOTO

APPROXIMATE SCALE: 1"=1500'
DATE OF PHOTOGRAPHY: 06/10/01



ALYESKA WORK LIMITS
APPROXIMATELY 21 ACRES

Alyeska pipeline
SERVICE COMPANY

OMS 27-3N
MATERIAL SITE PHOTO

PROPERTY OWNER: U.S.A.

REVISION DATE: DECEMBER 2001

APPROXIMATE SCALE: 1" = 400'
DATE OF PHOTOGRAPHY: 06/10/01

Exhibit A
Special Stipulations
Contract for the Sale of Mineral Materials
OMS 27-3N
AA-093940

1. The Mineral Material Sale shall be subject to the terms, conditions and stipulations of the Renewal of the Agreement and Grant of Right-of-Way for the Trans-Alaska Pipeline and Related Facilities between the United States of America and Amerada Hess Pipeline Corporation, et al., dated January 8, 2003, which became effective on January 22, 2004. It shall be provided, however, that in the event of a conflict, either express or implied, between any provisions of the Agreement and any provision of the material sale, such conflict shall be resolved in favor of this sale.
2. Alyeska Pipeline Service Company (APSC) shall inform and ensure compliance with these stipulations by its employees, agents, and contractors and subcontractors at any level.
3. Access shall be limited to the existing TAPS workpad and 27-AMS-4, unless specifically authorized in writing.
4. Any vegetation and top soil cleared for mining shall be stored separately for later use in reclamation.
5. The APSC working limits shall be staked prior to any excavation activities.
6. APSC will provide at least ten business days notification to BLM Branch of Pipeline Monitoring (907-271-1307) in order to schedule a pre-mining inspection. Mining activities for Alyeska will not begin until such time as BLM's representative has completed an onsite pre-mining inspection with a representative from APSC and their contractor. Mining operations shall not proceed until such time as site conditions have been documented and approval to proceed granted by BLM.
7. The Authorized Officer may require that his authorized representative be on site during operations conducted under this contract. The Permittee will notify the Supervisory Program Administrator of the Bureau of Land Management, Branch of Pipeline Monitoring (BLM/BPM), Valdez Field Station at (907) 787-6701 during regular business hours (BLM Business Hours are: Monday through Friday, 7:45 AM to 4:30 PM, except Federal Holidays) at least 48 hours before beginning work.
8. Any mining activities shall be conducted to minimize disturbance to existing vegetation except in the areas actually being excavated during the mining operation.
9. All blasting activities will be conducted in accordance with APSC Master Specification C-415, Blasting Restrictions Near the Trans-Alaska Pipeline System, updated February 7, 2011. According to this specification, a site specific blasting plan is required for this site. The site-specific blasting plan will be submitted to BLM/BPM for review prior to initiation of the blasting operations.

10. Fuel and other petroleum products will be stored at a location approved by the Authorized Officer and within an impermeable lined and diked area capable of containing 110 percent of the stored volume or within approved alternate storage containers. Fuel storage will not occur closer than 100 feet from any river, lake, stream, or wetland. All fuel containers, including barrels and propane tanks, will be marked with the responsible party's name and product type.
11. Temporary trash storage is not allowed in the contract area. Waste materials will be removed from the contract area to appropriate facilities on a regular basis.
12. The permittee shall slope the floor of the pit to prevent the accumulation of water. Runoff will be maintained to the south onto vegetated terrain.
13. The working faces shall be posted and/or warning barriers constructed to protect the public from rock falls and/or drop-offs.
14. Cut slopes will be no steeper than 1:4 horizontal to vertical for competent bedrock. Slopes of loose material, including overburden, will be no steeper than 1:2.5 horizontal to vertical.
15. If historic resources are encountered, in addition to the requirements under Stipulation 1.9 of the Agreement, notification shall immediately be made in accordance with the Programmatic Agreement Regarding Consideration and Management of Historic Properties Affected by Operations and Maintenance Activities Along the Trans-Alaska Pipeline System, dated September 8, 2005.
16. APSC will notify BLM/BPM at 907-271-1307 of the completion of mining operations so that a close out inspection can be completed. No additional mining at the site may occur until such time as a mining closeout inspection has been completed by BLM/BPM's representative.
17. The contract area shall be restored to the satisfaction of the Authorized Officer and in accordance with 43 CFR 3601.43. APSC will submit a site-specific reclamation plan that must be approved by BLM/BPM and completed before closure of this material site.
18. Contract volume shall be established as follows:
 - a. A cross-section survey shall be completed for the site prior to the beginning of mining operations at this pit (i.e., prior to the first mining operation in this pit) and at pit closeout (upon the final closing of the pit area).
 - b. In accordance with 43 CFR 3602.29(a), APSC shall submit one report per contract year of the amount and type of mineral material mined or removed under this sales contract, so BLM can verify that all required payments have been made.
 - c. Annual reports of quantities mined shall be based upon truck counts or an engineer's estimate of stockpiled material.

19. APSC shall be responsible for preventing the spread of non-native, invasive plant species caused by operations on the public lands. APSC is advised to be familiar with non-native, invasive plant species in the vicinity of TAPS and shall take measures to avoid contributing to the spread of such plants:
- a. Should a material site have invasive plant infestations, prior to development or use, APSC must confer with the Authorized Officer to develop an invasive plant treatment plan designed to eliminate and/or prevent the propagation of the species.
 - b. In order to limit the potential migration of invasive plant species, all heavy equipment shall be washed to remove any and all dirt, soil, topsoil, vegetation, and seed material at the site it was last used or stored prior to transport to this material site. Heavy equipment that has not been suitably cleaned prior to arrival at the material site may be denied entry. Any and all washing of equipment must be done at least 100 feet from any water body.
 - c. All heavy equipment used at this material site shall be washed at this site to remove any and all dirt, soil, topsoil, vegetation, and seed material prior to being moved from this site. Any and all washing of equipment must be done at least 100 feet from any water body.
 - d. APSC shall report to the Authorized Officer the location and extent of any non-native, invasive plant species observed at, or near, the material site and access route.